

Evidence shows that in July 1997 claimant injured her right wrist at home when her husband opened the door, jamming the wrist and fingers. Claimant was treated by Dr. V. Carlos Palmeri and was off work for approximately six months. In December 1997, before claimant returned to work, she reported her symptoms had intensified. Dr. Palmeri referred her to see Dr. Fred M. Wood. Dr. Wood diagnosed carpal tunnel syndrome and recommended surgery. Claimant also saw Dr. James R. Webb on January 14, 1998, shortly before she returned to work. At that time she reported numbness in her thumb and first finger which had started within the previous two months. His assessment was mild nerve entrapment syndrome. Claimant then returned to work on either January 15, 1998, or

January 16, 1998. Upon return, she experienced pain, numbness, and tingling in her right wrist and concluded she was not able to perform her duties.

After the injury, claimant was seen by Dr. Donald T. Mead. He diagnosed nonwork-related wrist strain and concluded that carpal tunnel was related to a nonwork-related injury. Dr. Mead notes that claimant now reports she has had the symptoms for approximately two years. According to Dr. Mead's report, this is not the same history she had given January 14, 1998, shortly before she returned to work.

Claimant asserts that an aggravation of a previous injury is fully compensable, citing Baxter v. L. T. Walls Constr. Co., 241 Kan. 588, 738 P.2d 445 (1987). But the Board concludes the evidence does not show an aggravation as that word is intended in the Baxter decision. In this case, the evidence shows only symptoms from a nonwork-related injury. The evidence does not show any permanent, or even long-term, worsening from the work activities.

Claimant relies, in part, on the report from Dr. Palmeri. According to claimant, that report supports the conclusion that claimant's injury was aggravated by her work. But the report itself does not fully support that argument. In his report of February 20, 1998, Dr. Palmeri states, "Teresa Hughes is suffering from Carpel [*sic*] Tunnel Syndrome. She is unable to work because of this condition. Carpel [*sic*] Tunnel tends to be aggravated by certain activities, which can be job related. It is my recommendation, that she not work." The Board concludes this statement about possibilities does not establish that claimant's work has permanently aggravated her carpal tunnel syndrome.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Order entered by Administrative Law Judge Steven J. Howard on April 15, 1998, should be, and the same is hereby, affirmed.

IT IS SO ORDERED.

Dated this ____ day of May 1998.

BOARD MEMBER

c: David R. Hills, Lenexa, KS
Gary R. Terrill, Overland Park, KS
Steven J. Howard, Administrative Law Judge
Philip S. Harness, Director